

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**JOSEPH FERRANTE, KATHLEEN
DONNATIN, BOBBY FAUL, ROBERT
INGWER, ERIN VADALA and
AUBURN SCALLON, Individually, and
on Behalf of All Others Similarly
Situating,**

Plaintiffs,

v.

**411 REST CORP., A New York
Corporation d/b/a TONIC EAST and
TONIC TIME SQUARE, and MARIO
ARCARI, PETER ARCARI and
KENNETH CAUFIELD, Individually,**

Defendants.

Case No. 07 CV 11169 (SAS)

ECF CASE

**PLAINTIFF'S NOTICE OF FILING CONSENT(S) TO JOIN
PURSUANT TO [29 U.S.C. §§207, 211(c), 216(b)]**

NOW COME the Plaintiffs, Joseph Ferrante, Kathleen Donnatin, Bobby Faul, Robert Ingwer, Erin Vadala and Auburn Scallon, individually and on behalf of all others similarly situated, (hereafter referred to as "Plaintiffs") by and through their attorney, Erik H. Langeland, and hereby submit the following Consent(s) to Join pursuant to 29 U.S.C. §216(b), copies of which are attached and identified as follows:

1. Kristen Gehling

Erik H. Langeland, P.C.
Attorneys for Plaintiffs

DATED: January 9, 2008

/s/ Erik H. Langeland
Erik H. Langeland (EL-7512)
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New York, NY 10110
(212) 354-6270
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OPT-IN CONSENT FORM

Ferrante, et al v. 411 Rest. Corp., d/b/a Tonic East and Tonic Time Square

Complete and Return To:

Erik H. Langeland, P.C.

Attn: Tonic East Class Action

500 Fifth Avenue

Suite 1610

New York, NY 10110

(212) 354-6270

(212) 898-9086 (Fax)

elangeland@langelandlaw.com

CONSENT TO JOIN COLLECTIVE ACTION

Pursuant to Fair Labor Standards Act, 29 U.S.C. §216(b)

1. I, Kristen Gehling, consent and agree to pursue my claims arising out of unpaid overtime and minimum wages as a waitress (bartender/waitress) for 411 Rest Corp., d/b/a Tonic East and Tonic Time Square in connection with the above-referenced lawsuit.
2. I worked in the position of waitress (bartender/waitress) for 411 Rest Corp., d/b/a Tonic East and Tonic Time Square from on or about 07/2006 (month, year) to on or about 11/2007 (month, year).
3. I understand this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §201, et. seq. I hereby consent, agree and opt-in to become a Plaintiff herein and be bound to any judgment by the Court or any settlement of this action.
4. I hereby designate the law firm of ERIK H. LANGE LAND, P.C. and STEPHAN ZOURAS, LLP ("Plaintiffs' Counsel"), to represent me for all purposes of this action.
5. I also designate the Class Representatives as my agents to make decisions on my behalf concerning the method and manner of conducting this litigation, the entering of an agreement with Plaintiffs' Counsel concerning attorneys' fees and costs, and all other matters pertaining to this lawsuit.

DATE SIGNED: 01/03/08

SIGNATURE: Kristen A. Gehling

PRINT NAME: Kristen A. Gehling

****NOTE**** Statute of Limitations concerns mandate that you return this form as soon as possible to preserve your rights. (See "Notice of Proposed Class Action Lawsuit" for time deadlines).